

110TH CONGRESS
1ST SESSION

S. 1667

To establish a pilot program for the expedited disposal of Federal real property.

IN THE SENATE OF THE UNITED STATES

JUNE 20, 2007

Mr. CARPER (for himself and Mr. COBURN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To establish a pilot program for the expedited disposal of Federal real property.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FEDERAL REAL PROPERTY DISPOSAL PILOT**
4 **PROGRAM.**

5 (a) IN GENERAL.—Chapter 5 of subtitle I of title 40,
6 United States Code, is amended by adding at the end the
7 following:

1 “SUBCHAPTER VII—EXPEDITED DISPOSAL OF
2 REAL PROPERTY

3 **“§ 621. Pilot program**

4 “(a) The Director of the Office of Management and
5 Budget and Budget (in this subchapter referred to as the
6 ‘Director’) shall conduct a pilot program, to be known as
7 the ‘Federal Real Property Disposal Pilot Program’,
8 under which real property that is not meeting Federal
9 Government needs may be disposed of in accordance with
10 this subchapter.

11 “(b) For purposes of this subchapter, the Director
12 shall identify criteria for determining whether real prop-
13 erty is not meeting Federal Government needs.

14 “(c) The Federal Real Property Disposal Pilot Pro-
15 gram shall terminate 5 years after the date of the enact-
16 ment of this subchapter.

17 **“§ 622. Selection of real properties**

18 “Agencies will recommend candidate disposition
19 properties to the Director for participation in the pilot
20 program. The Director, with the concurrence of the head
21 of the executive agency concerned and consistent with the
22 criteria established in section 621, may then select such
23 candidate properties for participation in the pilot program
24 and notify the recommending agency accordingly.

1 **“§ 623. Expedited disposal requirements**

2 “(a) For purposes of the pilot program, an ‘expedited
3 disposal of a real property’ is a sale of real property for
4 cash that is conducted pursuant to the requirements of
5 section 545 of this title.

6 “(b) Real property sold under the pilot program must
7 be sold at not less than the fair market value as deter-
8 mined by the Director in consultation with the head of
9 the executive agency. Costs associated with disposal may
10 not exceed the fair market value of the property unless
11 the Director approves incurring such costs.

12 “(c) A real property may be sold under the pilot pro-
13 gram only if the property will generate monetary proceeds
14 to the Federal Government, as provided in subsection (b).
15 A disposal of real property under the pilot program may
16 not include any exchange, trade, transfer, acquisition of
17 like-kind property, or other non-cash transaction as part
18 of the disposal.

19 “(d) Nothing in this subchapter shall be construed
20 as terminating or in any way limiting authorities that are
21 otherwise available to agencies under other provisions of
22 law to dispose of Federal real property, except as provided
23 in subsection (e).

24 “(e) Any expedited disposal of a real property con-
25 ducted under this section shall not be subject to—

26 “(1) subchapter IV of this chapter;

1 “(2) sections 550 and 553 of title 40, United
2 States Code;

3 “(3) section 501 of the McKinney-Vento Home-
4 less Assistance Act (42 U.S.C. 11411);

5 “(4) any other provision of law authorizing the
6 no-cost conveyance of real property owned by the
7 Federal Government; or

8 “(5) any congressional notification requirement
9 other than that in section 545 of this title.

10 **“§ 624. Special rules for deposit and use of proceeds**
11 **from expedited disposals**

12 “(a) Agencies that conduct expedited disposals of real
13 properties under this subchapter shall be reimbursed from
14 the proceeds for the administrative expenses associated
15 with the disposal of such properties. Such amounts will
16 be credited as offsetting collections to the account that in-
17 curred such expenses, to remain available until expended
18 without further appropriations.

19 “(b) After payment of such administrative costs, the
20 balance of the proceeds shall be distributed as follows:

21 “(1) 80 percent shall be deposited into the
22 Treasury as miscellaneous receipts.

23 “(2) 20 percent shall be deposited into the ac-
24 count of the agency that owned the real property
25 and initiated the disposal action. Such funds shall be

1 available without further appropriation, to remain
 2 available for the period of the pilot program, for ac-
 3 tivities related to Federal real property capital im-
 4 provements and disposal activities. Upon termination
 5 of the pilot program, any unobligated amounts shall
 6 be transferred to the general fund of the Treasury.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
 8 at the beginning of chapter 5 of subtitle I of title 40,
 9 United States Code, is amended by inserting after the
 10 item relating to section 611 the following:

“SUBCHAPTER VII—EXPEDITED DISPOSAL OF REAL PROPERTY

“Sec. 621. Pilot program.

“Sec. 622. Selection of real properties.

“Sec. 623. Expedited disposal requirements.

“Sec. 624. Special rules for deposit and use of proceeds from expedited dis-
 posals.”.

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